REMARKS

Claims 1-40 stand rejected. Claims 1, 13, 15, and 16 have been amended. No new matter has been added. The amended claims are supported by the originally filed specification and drawings. Claims 1-40 are presently pending. Also filed herewith is an affidavit of Kurt Businger. In view of the amendment, the affidavit, and following remarks Applicant respectfully submits that all of the presently pending claims are allowable. Reconsideration of the Application is respectfully requested.

1. Rejection of Claims 1-7, 9-31 and 36-40 (35 U.S.C. § 103)

Claims 1-7, 9-31 and 36-40 stand rejected under 35 U.S.C. § 103(a), the Examiner alleging they are unpatentable over U.S. Patent No. 5,439,406 to Fuwa et al. ("Fuwa") in view of U.S. Patent No. 3,829,655 to Thibault ("Thibault") and U.S. Patent No. 4,389,438 to Ohtsuki et al. ("Ohtsuki"). Applicant respectfully submits that none of the cited references or their combinations render any of Claims 1-7, 9-31 and 36-40 obvious.

Some example embodiments of applicant's invention are generally directed to removing defective touch screens from functioning monitors, e.g., in the repair of game machines. In the advisory action, the Examiner expressed the opinion that prevention of damage to the monitor was not recited expressly in the claims. Claim 16 has been amended to recite, in pertinent part, "heating the touch screen so that an adhesive adhering the touch screen to the monitor is weakened without damaging the monitor". Claims 1, 13, and 15 have been similarly amended with similar limitations. Claim 40 already recited that the monitor is heated non-destructively.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), the proposed combination of prior art references must teach or suggest all the claim limitations. M.P.E.P. § 2143.03. Applicant respectfully submits that none of the cited references teaches or suggests "heating the touch screen so that an adhesive adhering the touch screen to the monitor is weakened without damaging the monitor" Fuwa generally describes a method for peeling a glass safety panel bonded to a front surface panel of a cathode ray tube (CRT). The surface of the safety panel is rapidly heated by an infrared heater so that the resin layer bonding the panel to the CRT is heated to its melting point. Thibault generally describes an electrical heating envelope including a layer of resilient insulating material interposed between the heating plate and a vessel to be heated. Ohtsuki generally describes a process for preparing laminates including a heat treatment. None of the references, alone or in combination teach or suggest heating the touch screen so that an adhesive adhering the touch screen to the monitor is weakened without damaging the monitor.

In the Office Action mailed on January 25, 2005, the Examiner alleged that "Fuwa et al. shows the method and apparatus for removing a front panel from a cathode ray tube (crt)" (paragraph 2, page 2). In fact, Fuwa et al. generally describe a method for peeling a *safety panel* from a *defective* CRT, for purposes of recycling both the panel and the crt *envelope* (col.1, lines 19-24).

First of all, Fuwa's safety panel is a glass layer (col.6, lines 31-32) bonded to the CRT for anti-explosion protection (col.1, line 16). A safety panel is made of glass (col.6, lines 31-32). As such, it can withstand temperatures well above 1000°C. Use of Fuwa's device to remove a touch screen from a monitor would likely result in damage to the monitor's housing and electronics and the touch screen. *See, e.g.*, Affidavit of Kurt Businger, at ¶5-7. ✓

Second, the method of Fuwa is applied when the CRT is found to be defective (col.1, lines 19-24). Therefore in Fuwa's method no care need be exercised to make sure the CRT itself is not damaged by the heat treatment. The present application, on the other hand, is directed to the removal of a touch screen from a monitor which may possibly be fully functional, accordingly amended claim 16 recites that the adhesive layer is heated without damage to the monitor. The method of Fuwa only ensures that the safety panel and the CRT envelope, both made of strong glass, are not damaged. A fully functional monitor, on the other hand, may contain easily damaged electronic parts and possibly include a plastic housing. One would not reasonably expect a method based on high-intensity heating to prevent damage to such parts. *See, e.g.*, Affidavit of Kurt Businger, at ¶5-7.

Finally, the purpose of Fuwa's method is to recycle only the passive parts of the original CRT, namely the safety panel and the CRT envelope (i.e., the glass enclosure; see col.1, lines 19-24, and Fig.1). No attention need be paid in Fuwa's method to protecting other parts, which appear to have already been removed prior to the application of Fuwa's technique. See, Affidavit of Kurt Businger at ¶5.

Based on the foregoing discussions, Applicant respectfully submits that Fuwa, alone or in combination with the other cited references, does not fairly teach or suggest the heating a touch screen so that an adhesive adhering the touch screen to the monitor is weakened without damaging the monitor as recited in Applicant's claim 16. Claims 1, 13, 15, and 40 should be allowable for similar reasons. The remaining claims depend from these claims and thus should be allowable for at least the same reason.

For at least the foregoing reasons, Applicant submits that Claims 1-7, 9-31 and 36-40 are allowable and respectfully request withdrawal of all rejections.

2. Rejection of Claim 8 (35 U.S.C. § 103(a))

Claim 8 was rejected under 35 U.S.C. § 103(a), the Examiner alleging it is unpatentable over Fuwa et al., Thibault, and Ohtsuki et al., and further in view of U.S. Patent No. 4,593,752 to Tipton ("Tipton"). Claim 8 depends from claim 1, and thus should be allowable for at least all the reasons given above for claim 1.

3. Rejection of Claims 32-35 (35 U.S.C. § 103(a))

Claims 32-35 were rejected under 35 U.S.C. § 103(a), the Examiner alleging it is unpatentable over Fuwa, Thibault and Ohtsuki, and further in view of U.S. Patent Appl. Pub. No. 2004/0,149,733 to Abbott et al. ("Abbott"). Claims 32-35 depend from claim 1, and thus should be allowable for at least all the reasons given above for claim 1.

CONCLUSION

In view of the above amendments and remarks, it is respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

The Office is authorized to charge any fees associated with this Amendment to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully Submitted,

KENYON & KENYON

Dated: June 27, 2005

By: ______________________

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[12406/73]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/678,238
Title:	DEVICE AND METHOD FOR USING A HEATING LAYER TO REPLACE A TOUCH SCREEN
Applicant(s):	Kurt BUSINGER et al.
Filed:	October 3, 2003
Art Unit:	1734
Examiner:	Mark A. Osele
Confirmation No.:	1998
Attorney Docket No:	12406/73
Customer No.:	26646

AFFIDAVIT UNDER 37 CFR RULE 1.132

1. I, Kurt Businger, am an employee of GTECH Corporation. I am a named inventor of United States Patent Application 10/678,238.

2. GTECH's business includes the sale and servicing of gaming terminals, including gaming terminals equipped with touch screens. Servicing of a gaming machine equipped with a touch screen sometimes includes the removal of a touch screen from a monitor for repair or replacement of the touch screen.

3. Prior to my invention, removal of a touch screen from a monitor was achieved by inserting the face of the monitor into an oven-type heating device. In this oven-based approach, the temperature necessary to cause sufficient softening of the adhesive to facilitate detachment of the touch screen from the monitor can easily cause damage to the monitor's housing and electronics. Therefore a precise positioning of the monitor with respect to the oven was necessary to avoid damage to the monitor. The entire monitor was not placed inside the oven, because electronics attached to the monitor might be damaged, and also because of concerns about emissions caused by overheating components.

4. Using the oven-based approach described above, heating needs to be done slowly, because control of the temperature of the touch screen and monitor is poor, and the heating is not localized. The heating time necessary to sufficiently soften the adhesive attaching the touch screen to the monitor was typically at least a half an hour. With my contact heating approach, heating is more controlled and localized.

The adhesive can typically be heated to just below its melting point in under 2 minutes.

5. U.S. Patent No. 5,439,406 to Fuwa et al. describes a method to remove a glass safety panel from a cathode ray tube (CRT) envelope. The Fuwa patent discloses the use of a high temperature radiant heater which operates at a much higher temperature than is used in my contact heating method. I also believe that, based on my examination of the Fuwa patent, for example Figure 3a, all electronic components, which are generally placed around the throat of the monitor, have been removed. I believe this is because Fuwa uses a high temperature radiant heater that would damage these electronic components, and might also produce harmful emissions.
6. The Fuwa patent describes temperature control for the heater elements but not for the safety panel or the CRT envelope. This is understandable, since both the safety panel and the CRT envelope are made of glass and can withstand high temperatures. I believe the acceptable temperature range for removal of a safety panel from a CRT envelope is much wider than for the removal of a touch screen from a monitor where electronics are present. Accordingly, although I believe Fuwa's high temperature radiant-type heating can be used without accurate temperature control to remove a safety panel from a CRT envelope, it could not be used to remove a touch screen from a monitor for repair or replacement of the touch screen.
7. Use of the method as described in the Fuwa patent to remove a touch screen from a monitor would likely result in damage to the monitor's housing and electronics and the touch screen.
8. I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application and any patent issuing thereon.

Signed: ______________________
Kurt Businger

Date: June 27, 2005